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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 OAKLAND DIVISION
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12 TAMRYN SPRUILL, individually and on
13 behalf of all those similarly situated,

14 Plaintiffs,

15 v.

16 VOX MEDIA, INC., a Delaware corporation
17 (d.b.a. SB NATION); and DOES 1 to 10
18 inclusive,

19 Defendants.
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CASE NO. 18-cv-06807-PJH

**JOINT STIPULATION AND ~~PROPOSED~~
ORDER TO TRANSFER AND ALLOW
LEAVE TO AMEND, AS MODIFIED BY
THE COURT**

Hearing Date: None set

Time: None set

Dept: Courtroom 3, 3rd Floor

Before: Hon. Phyllis J. Hamilton

Trial Date: None Set

Action Filed: September 21, 2018

1 **JOINT STIPULATION**

2 Pursuant to Civil Local Rule 7-12, and subject to the Court's approval, Plaintiff TAMRYN
3 SPRUILL ("Plaintiff") and Defendant VOX MEDIA, INC. ("Defendant"), through their respective
4 attorneys, stipulate as follows:

5 WHEREAS, Plaintiff filed a complaint in this action in the Superior Court of the State of
6 California in Alameda County on September 21, 2018 in *Spruill v. Vox Media, Inc.*, No. 18921742;

7 WHEREAS, Defendant filed a notice of removal to the United States District Court, Northern
8 District of California on November 9, 2018, ECF No. 1;

9 WHEREAS, shortly thereafter, on November 16, 2018, Defendant filed a Motion to Dismiss,
10 Stay, or Transfer Proceedings ECF No. 11, seeking the dismissal or stay of this matter or, in the
11 alternative, transfer for coordination with the case of *Bradley v. Vox Media, Inc.*, No. 1:17-cv-01791
12 (D.D.C.), which has been pending for more than a year, on the ground that because the parties and
13 issues in this case are substantially similar to those in *Bradley*, application of the first-to-file rule
14 would avoid the risk of inconsistent decisions and would conserve judicial and litigant resources;

15 WHEREAS, Plaintiff filed a motion to remand the proceedings to Alameda Superior Court on
16 December 5, 2018, ECF No. 23;

17 WHEREAS, in accordance with the schedule ordered by the Court, ECF No. 25, Defendant
18 filed an opposition to the motion to remand on January 4, 2019, ECF No. 26;

19 WHEREAS, Plaintiff now agrees that federal jurisdiction under the Class Action Fairness Act
20 of 2005 is proper and will file a notice of withdrawal of the motion to remand within 48 hours of
21 entry of this stipulation;

22 WHEREAS, the parties now agree that transfer of this matter to the U.S. District Court for the
23 District of Columbia for coordination with the *Bradley* case is in the interests of the parties and the
24 Court given the substantial overlap between the cases; and

25 WHEREAS, Plaintiff has indicated that she intends to amend her complaint to, among other
26 things, add a claim under the California Private Attorney General Act, Cal. Labor Code § 2699.

27 NOW, THEREFORE, IT IS AGREED:

28 1. Within 48 hours of entry of this stipulation, Plaintiff shall file a notice withdrawing

her motion to remand in compliance with Local Civil Rule 7-7;

2. This case shall be transferred to the United States District Court for the District of Columbia, where the Parties agree that coordination with *Bradley v. Vox Media, Inc.*, No. 1:17-cv-01791 (D.D.C.) is appropriate;

3. Plaintiff shall have 30 days from issuance of notice that the case has been received by the District Court for the District of Columbia to file an amended complaint.

Respectfully submitted,

Dated: January 23, 2019

By: /s/ Katherine V.A. Smith

Katherine V.A. Smith

GIBSON, DUNN & CRUTCHER LLP

Attorneys for Defendant Vox Media, Inc.

By: /s/ David Borgen

David Borgen

GOLDSTEIN, BORGEN, DARDARIAN & HO

Attorneys for Plaintiff and the Putative Class

DECLARATION OF FILER PURSUANT TO CIVIL LOCAL RULE 5-1(i)

Pursuant to Local Rule 5-1(i), the filer attests that the concurrence in the filing of this document has been obtained from each of the signatories.

Dated: January 23, 2019

GIBSON, DUNN & CRUTCHER LLP.

By: /s/ Katherine V.A. Smith

Katherine V.A. Smith

~~PROPOSED~~ ORDER, AS MODIFIED BY THE COURT

**PURSUANT TO THE FOREGOING STIPULATION AND FOR GOOD CAUSE
SHOWN, IT IS HEREBY ORDERED:**

1. By this stipulation, Plaintiff withdraws her motion to remand in compliance with Local Civil Rule 7-7;
2. The Court hereby transfers this case to the United States District Court for the District of Columbia (“D.D.C.”) so that D.D.C. may coordinate this action with *Bradley v. Vox Media, Inc.*, No. 1:17-cv-01791 (D.D.C.), if it deems appropriate to do so; and
3. Plaintiff shall have 30 days from issuance of notice that the case has been received by the District Court for the District of Columbia to file an amended complaint.

Dated: January 23, 2019



Honorable Phyllis J. Hamilton, Chief United States
District Judge